

OFFICIAL

Atty Docket No. 022008-000100US

PTO FAX NO.: (703) 872-9306

ATTENTION: Examiner Kam, Chih-Min
TELEPHONE NO.:

Group Art Unit 1653

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OFFICIAL COMMUNICATION
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EXAMINER Kam, Chih-Min

CERTIFICATION OF FACSIMILE TRANSMISSION

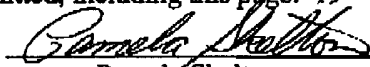
I hereby certify that the following document(s) in re Application of Ira G. SCHULMAN, et al., Application No. 09/982,544, filed October 10, 2001 for METHODS FOR AFFECTING VARIOUS DISEASES UTILIZING LXR COMPOUNDS is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Document(s) Attached

1. Transmittal Form,
2. Fee Transmittal,
3. Petition For Extension of Time,
4. Notice of Appeal, and
5. Second Amendment and Response Under 37 C.F.R. §1.116

Number of pages being transmitted, including this page: 19

Dated: May 6, 2004


Pamela Skelton

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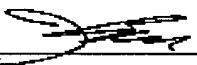
TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, CA 94111-3834
Telephone: 858-350-6100
Fax: 858-350-6111


60210457 v1

PTO/SB/21 (08-03)

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/982,544
		Filing Date	October 10, 2001
		First Named Inventor	Schulman, Ira G.
		Art Unit	1653
		Examiner Name	Kam, Chih-Min
Total Number of Pages in This Submission	18	Attorney Docket Number	022008-000100US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Townsend and Townsend and Crew LLP Kawai Lau Reg. No. 44461
Signature	
Date	May 6, 2004

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. (703) 872-9306 on May 6, 2004	
Typed or printed name	Pamela Skelton
Signature	
Date	May 6, 2004

60210438 v1

PTO/SB/17 (10-03)

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 220

Complete if Known

Application Number 09/982,544
 Filing Date October 10, 2001
 First Named Inventor Schulman, Ira G.
 Examiner Name Kam, Chih-Min
 Art Unit 1653
 Attorney Docket No. 022008-000100US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number

20-1430

Deposit
Account
Name

Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	630	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid	
Total Claims	Independent Claims						

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	96	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	88	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	55
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	165
1402	330	2402	165	Filing a brief in support of an appeal	
1403	280	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1808	180	1808	180	Submission of Information Disclosure Sheet	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	


Other fee (specify)

*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

(\$220)

SUBMITTED BY

Complete if applicable

Name (Print/Type) Kawal Lau Registration No. (Attorney/Agent) 44461 Telephone 858-350-8100
 Signature  Date May 5, 2004

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60210423 v1

OFFICIAL**PATENT**

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Attorney Docket No.: 022008-000100US

TOWNSEND and TOWNSEND and CREW LLP

By: *Pamela Skelton*

Pamela Skelton

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MAY 06 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ira G. SCHULMAN, et al.

Application No.: 09/982,544

Filed: October 10, 2001

For: METHODS FOR AFFECTING
VARIOUS DISEASES UTILIZING LXR
COMPOUNDS

Customer No.: 20350

Confirmation No. 7779

Examiner: Kam, Chih-Min

Technology Center/Art Unit: 1653

SECOND AMENDMENT and RESPONSE
UNDER 37 C.F.R. § 1.116

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the "final" Office Action dated January 6, 2004, which set April 6, 2004 as the initial period for response. Accordingly, a petition for a one-month extension of time is enclosed herewith. This response is thus believed to be timely filed.

This is also in response to the Advisory Action mailed April 20, 2004.

Please amend the above-identified U.S. patent application as follows. Entry of the current amendments under 37 C.F.R. 1.116 is respectfully requested because they address and obviate an objection set forth in the Action, thus placing the claims in better form for consideration on appeal.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.